



Date Mailed: October 31, 2025
Docket No.: 25-035255
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [REDACTED]

This is an important legal document. Please have someone translate the document.

هذه وثيقة قانونية مهمة. يرجى أن يكون هناك شخص ما يترجم المستند.

এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

这是一份重要的法律文件。请让别人翻译文件。

Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

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Docket No.: 25-035255

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

Following Petitioner's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 45 CFR 99.1 to 99.33; and 45 CFR 205.10; and Mich Admin Code, R 792.11002. After due notice, a hearing was held via telephone conference on October 22, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Rebecca Ridley, Hearing Coordinator (HC).

During the hearing proceeding, the Department's Hearing Summary packet was admitted as Exhibit A, pp. 1-34.

ISSUE

Did the Department properly close Petitioner's Food Assistance Program (FAP) benefit case?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. On [REDACTED] 2025, Petitioner applied for FAP and other benefits. (Exhibit A, pp. 7-16)
2. On July 1, 2025, a Semi-Annual Contact Report was mailed to Petitioner with a due date of July 21, 2025. (Exhibit A, pp. 17-21)
3. Petitioner did not return the Semi-Annual Contact Report. (Exhibit A, pp. 2 and 30)
4. On August 10, 2025, a Notice of Food Assistance (FAP) Closure was mailed to Petitioner stating FAP benefits would be closed effective August 31, 2025, because the Semi-Annual contact form was not returned. It was stated that Petitioner could complete and submit the Semi-Annual Contact form prior to the end of the month from the mail date of this notice to maintain FAP benefits. (Exhibit A, pp. 22-23)

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5. On August 19, 2025, Petitioner called the Department asking why his FAP case was being closed. Petitioner was informed his FAP case was active. (Exhibit A, p. 34)
 6. On September 25, 2025, Petitioner requested a hearing contesting the Department's determination. (Exhibit A, pp. 3-5)

CONCLUSIONS OF LAW

Department policies are contained in the Department of Health and Human Services Bridges Administrative Manual (BAM), Department of Health and Human Services Bridges Eligibility Manual (BEM), Department of Health and Human Services Reference Tables Manual (RFT), and Department of Health and Human Services Emergency Relief Manual (ERM).

The Food Assistance Program (FAP) [formerly known as the Food Stamp program] is established by the Food and Nutrition Act of 2008, as amended, 7 USC 2011 to 2036a and is implemented by the federal regulations contained in 7 CFR 273. The Department (formerly known as the Department of Human Services) administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011.

When FAP benefits are approved, the group is eligible for a specific benefit period (in calendar months) with a begin and end date. BAM 115, (July 1, 2025), p. 28. Clients must cooperate with the local office in determining initial and ongoing eligibility. This includes completion of necessary forms. Bridges Administrative Manual (BAM) 105 (June 1, 2025), p. 7.

The Department must periodically re-determine or renew an individual's eligibility for active programs. The redetermination/renewal process includes thorough review of all eligibility factors. Redetermination, renewal, semi-annual and mid-certification forms are often used to re-determine eligibility of active programs. BAM 210 (July 1, 2025), p. 1. Bridges sends a MDHHS-2240-A, Mid-Certification Contact Notice, for groups assigned a 24-month benefit period during the 11th month of their benefit period and a MDHHS-1046, Semi-Annual Contact Report, the beginning of the fifth month for cases assigned a 12-month benefit period. BAM 210, p. 11.

For a 12-Month benefit period, the semi-annual contact report must be recorded, data collection updated and EDBC results certified in Bridges by the last day of the sixth month of the benefit period to affect benefits no later than the seventh month. The contact is met by receipt of a completed MDHHS-1046 and required verifications. BAM 210, p. 12.

If the MDHHS-1046 Semi-Annual Contact Report is not logged in Bridges by the 10th day of the sixth month, Bridges will generate a MDHHS-1046-A, Notice of Food Assistance (FAP) Closure, to the client. This reminder notice explains that the client

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must return the MDHHS-1046 and all required verifications by the last day of the month, or the case will close. If the client fails to return a complete MDHHS-1046 by the last day of the sixth month. Bridges will automatically close the case. If the client reapplies, treat it as a new application and Bridges will prorate the benefits. If the completed MDHHS-1046 and verifications are returned by the last day of the sixth month, process the changes to ensure the client's benefits are available no later than 10 days after their normal issuance date in the seventh month of the benefit period. BAM 210, p. 14.

In this case, Petitioner applied for FAP and other benefits on [REDACTED] 2025. (Exhibit A, pp. 7-16). Accordingly, on July 1, 2025, a Semi-Annual Contact Report was mailed to Petitioner with a due date of July 21, 2025. (Exhibit A, pp. 17-21). Petitioner did not timely return the Semi-Annual Contact Report. (Exhibit A, pp. 2 and 30). Therefore, on August 10, 2025, a Notice of Food Assistance (FAP) Closure was mailed to Petitioner stating FAP benefits would be closed effective August 31, 2025, because the Semi-Annual contact form was not returned. It was stated that Petitioner could complete and submit the Semi-Annual Contact from prior to the end of the month from the mail date of this notice to maintain FAP benefits. (Exhibit A, pp. 22-23).

However, on August 19, 2025, Petitioner called the Department asking why his FAP case was being closed. Petitioner was informed his FAP case was active. (Exhibit A, p. 34). Petitioner testified that when he called the Department, he was told that FAP benefits were approved and no actions were needed on his case. Petitioner also testified that he never received the Semi-Annual Contact Report. (Petitioner Testimony).

Overall, the Department's determination to close Petitioner's FAP benefit case cannot be upheld. Petitioner called the Department on August 19, 2025, and was incorrectly advised no action was needed on his FAP case. The Department failed to advise Petitioner that the Semi-Annual Contact Report needed to be completed and returned by the end of that month. Therefore, the closure of the FAP case was not in accordance with Department policy.

DECISION AND ORDER

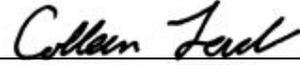
The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department failed to satisfy its burden of showing that it acted in accordance with Department policy when it closed Petitioner's FAP benefit case.

Accordingly, the Department's decision is **REVERSED**.

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

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1. Redetermine Petitioner's eligibility for FAP as of September 1, 2025 in accordance with Department policy, which would include allowing another opportunity for Petitioner to return a completed Semi-Annual Contact Report.
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COLLEEN LACK
ADMINISTRATIVE LAW JUDGE

APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative Hearings and Rules (MOAHR) cannot provide legal advice, but assistance may be available through the State Bar of Michigan at <https://lrs.michbar.org> or Michigan Legal Help at <https://michiganlegalhelp.org>. A copy of the circuit court appeal should be sent to MOAHR. A circuit court appeal may result in a reversal of the Hearing Decision.

Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation of the specific reasons for the request, and any documents supporting the request. The request should be sent to MOAHR

- by email to MOAHR-BSD-Support@michigan.gov, **OR**
- by fax at (517) 763-0155, **OR**
- by mail addressed to
Michigan Office of Administrative Hearings and Rules
Rehearing/Reconsideration Request
P.O. Box 30639
Lansing Michigan 48909-8139

Documents sent via email are not secure and can be faxed or mailed to avoid any potential risks. Requests MOAHR receives more than 30 days from the mailing date of this Hearing Decision may be considered untimely and dismissed.

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Via Electronic Mail:

Respondent

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MDHHS-GENESEE-CLIO-HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

[REDACTED]
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